

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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MISTY SMITH,

Plaintiff,

vs.

NANCY A BERRYHILL,

Defendant.

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2:18-CV-11452-TGB

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Stephanie Dawkins Davis' June 30, 2019 Report and Recommendation (ECF No. 15), recommending granting Defendant's Motion for Summary Judgment (ECF No. 14) and denying Plaintiff's Cross-Motion (ECF No. 11).

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to

the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate's Report and Recommendation of June 30, 2019 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Davis' Report and Recommendation of June 30, 2019 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 14) is **GRANTED**, Plaintiff's Cross-Motion for Summary Judgment (ECF No. 11) is **DENIED**, the Commissioner's findings of fact are **AFFIRMED**, and this case is **DISMISSED**.

**SO ORDERED.**

DATED: July 18, 2019.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge